

U.S. Department of Labor



Employment and Training Administration

REGION V

John C. Kluczynski Building
230 South Dearborn Street, 6th Floor
Chicago, IL 60604-1505

<http://www.doleta.gov/regions/reg05>

August 2, 2013

Gerry Arranda
State Monitor Advocate
Michigan Workforce Development Agency
32849 Red Arrow Highway, Suite 200
Paw Paw, MI 49079

Dear Mr. Arranda:

This letter provides approval of Michigan's Wagner-Peyser (W-P) Agricultural Outreach Plan (AOP) for Program Year (PY) 2013. The Employment and Training Administration (ETA) received the State's AOP on July 2, 2013.

Training and Employment Guidance Letter (TEGL) No. 23-12, Instructions and Planning Guidance for the Agricultural Outreach Plans (AOP) for Program Year 2013 and the Designation of Significant Migrant and Seasonal Farm Worker (MSFW) States, issued on April 3, 2013, provided guidance for states to submit their AOP for PY 2013. We appreciate the State's responsiveness to this guidance.

The Chicago Regional Office reviewed the State's AOP in accordance with W-P regulations set forth at 20 C.F.R. (Code of Federal Regulations) 653.107 and 653.10, TEGL No. 23-12, and the State Integrated Workforce Plan Requirements for Workforce Investment Act Title I/Wagner-Peyser Act and Department of Labor Programs. This letter constitutes a written determination that ETA is approving Michigan's annual W-P AOP for the period July 1, 2013 through June 30, 2014. This approval constitutes a modification to the State Integrated Workforce Plan, and the AOP must be incorporated into the State's official copy of its State Integrated Workforce Plan and made available to the public.

We look forward to working together as you implement your AOP for PY 2013. We are available to provide technical assistance. If you have any questions related to the AOP, please contact Eric Hernandez, your Regional Monitor Advocate, at 312-596-5419 or hernandez.eric@dol.gov.

Sincerely,

for Corey Bulluck
Bryon Zuidema
Regional Administrator

cc: Juan M. Regalado, National Monitor Advocate
Eric Hernandez, Regional Monitor Advocate

RICK SNYDER
GOVERNOR



CHRISTINE QUINN
DIRECTOR

July 1, 2013

E-mailed: 07/01/13 (pv)

Mr. Byron Zuidema
Regional Administrator
Employment and Training Administration
Region V
U.S. Department of Labor
230 South Dearborn Street, 6th Floor
Chicago, Illinois 60604-1505

Dear Mr. Zuidema:

It is my pleasure to submit the State of Michigan's Wagner-Peyser Agricultural Outreach Plan for Program Year 2013. The plan was created in accordance with Training and Employment Guidance Letter Number 23-12 and Wagner-Peyser regulations 20 CFR 653.107. The plan was approved by the State Workforce Investment Board, after review and comment from workforce partners and the general public. I am confident the Plan meets the prescribed requirements of the U.S. Department of Labor and look forward to your approval.

If you have questions, please contact me at (517) 335-5858 or quinnc1@michigan.gov.

Sincerely,

SIGNED

Christine Quinn, Director
Workforce Development Agency

CQ:JC:tk
Attachment

cc: Malcolm Jackson
Adele Gagliardi
Mike Pohnl
Gary Clark
Belen Ledezma
Gerry Aranda
Stephanie Beckhorn
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**WORKFORCE DEVELOPMENT AGENCY, STATE OF MICHIGAN
AGRICULTURAL SERVICES OUTREACH PLAN
PROGRAM YEAR 2013**

Wagner-Peyser Labor Exchange Services

Overview

The State of Michigan's Workforce Development Agency provides a complete range of employment services to the agricultural community, including Migrant and Seasonal Farmworkers and agricultural employers, as described in 20 CFR Parts 652 and 653. Full-time, year-round outreach workers, designated as Agricultural Employment Specialists, conduct vigorous outreach activities throughout Michigan's Lower Peninsula, with a concentration on the significant Migrant and Seasonal Farmworker areas, in order to reach the highest Migrant and Seasonal Farmworker populations. In collaboration with partners located at Michigan Works! One-Stop Service Centers, the full-range of employment services are offered. Additionally, the State Monitor Advocate conducts on-site monitoring of Michigan's significant offices to insure equitable and appropriate levels of services are provided.

A. Assessment of Need

The agriculture industry is critical to the Michigan economy in terms of production and processing and the revenues it generates. Michigan produces over 200 commodities on a commercial basis, making the state second only to California in agricultural diversity. Michigan has 54,900 farms, 10 million acres of farmland, and leads the nation in the production of 18 crops, including blueberries, tart cherries, cucumbers, and squash. Michigan also ranks in the top 10 of 56 other commodities.¹

Michigan's Bureau of Labor Market Information and Strategic Initiatives reports that 22 percent of total employment in agriculture is comprised of farmworkers and laborers: crop, nursery and greenhouse. Employment in many agricultural occupations is expected to decline over the next ten years, mainly due to a continuous mechanization of agricultural services. However, there will still be job opportunities within agriculture due to the nature of the industry. Employment in food processing is expected to grow the most (4.1 percent) over the next decade.²

The following chart identifies the labor intensive crop activity, the months of heavy activity, and the geographic area of prime activity. Program Year 2012 was an unusual year of agriculture activity due to the unseasonably warm weather early in the year, followed by a hard frost which destroyed many of the crops. There were major crop losses in asparagus, tart and sweet cherries, and apples. Due to the reduced activity, the chart reflects the normal agriculture crop activity. For regional maps, refer to Appendix A.

¹ Michigan's Food and Agriculture Industry, published by Michigan Department of Agriculture and Rural Development, 2012

² Agriculture Cluster Workforce Analysis, published by Workforce Development Agency, State of Michigan, January, 2013

Labor Intensive Crop	Heavy Activity Months	Prime Geographic Area
Apples	Mid August – Mid November; Pruning Feb. – April	Region II and Region III
Asparagus	April – Early July	Region II, Region III
Bedding Plants	Early January – Late June	Region I, Region IV
Blueberries	Mid July – Late August	Region I, Region II
Carrots	Early May – Early December	Region I, Region IV
Cherries, Sweet	Early July – Early September; Pruning February – April	Region I, Region II, Region III
Cherries, Tart	Early July – Mid August; Pruning February – April	Region I, Region II, Region III
Christmas Trees	April, June – August, October – December	Region III, Region IV
Cucumbers	Early June – Mid-September	Region I, Region III, Region V
Grapes	Late August – Early October	Region I, Region III
Nursery Plants	Early March – Late November	Region I, Region IV
Potatoes	August – October	Region III, Region IV, Region V
Pumpkins	Early July – Late October	Region I, Region V

Michigan has no means of tracking the number of those employed in the above crops. It is estimated that most of the laborers in apples, asparagus, blueberries and cherries are migrant and seasonal farmworkers. An enumeration study conducted in 2006 estimated the total number of Migrant and Seasonal Farmworkers in Michigan was 45,000, but there was no data as to how this number was broken down by crop.

In Program Year 2012, there was a shortage of workers for the apple crop. This was due to the fact that many Migrant and Seasonal Farmworkers did not initially travel to Michigan for work because of the reduced need for labor due to poor crop conditions, or the Migrant and Seasonal Farmworkers who did travel to Michigan were forced to leave early because of the lack of work. While the apple crop experienced significant losses, there were pockets of a successful crop and the labor supply was difficult to find.

Agricultural activity in Michigan for the coming season expects to be back at or close to the level of Program Year 2011, taking into account the low production season of Program Year 2012. The National Farmworker Jobs Program grantee (Telamon Corporation), the Department of Human Services, and Migrant Head Start (Telamon Corporation) were all solicited for a projected number of Migrant and Seasonal Farmworkers. Telamon Corporation estimates that they will have 400 – 450 total participants who will receive core services. Additionally, Telamon projects they will serve 60 to 80 participants with intensive services and 40 to 60 participants will receive training services.

The Workforce Development Agency estimates that 24,000 Migrant and Seasonal Farmworkers will travel to Michigan in Program Year 2013. This is a slight reduction from Program Year 2011. The projected reduction is attributed to Migrant and Seasonal Farmworkers' hesitation of

returning to Michigan because of a lack of work in Program Year 2012, as well as the possibility that Migrant and Seasonal Farmworkers may have found employment in other states. The continued fear of immigration laws may also be attributed to the reduced number of Migrant and Seasonal Farmworkers coming to Michigan. The Migrant Head Start Program (Telamon Corporation) saw a considerable drop in the numbers served in Program Year 2012. A total of 1500 individuals and over 900 families were served in Program Year 2011; however, Program Year 2012 saw a little more than 1200 individuals. Migrant Head Start also expects the Program Year 2013 to reach the Program Year 2011 level.

B. Outreach Activities

Michigan is committed to providing equitable services to the Migrant and Seasonal Farmworker population. A majority of the Agricultural Employment Specialists time during each respective peak season is spent conducting outreach to Migrant and Seasonal Farmworkers in order to locate Migrant and Seasonal Farmworkers who are not being reached by normal activities conducted at the One-Stop Centers. While on outreach, the Agricultural Employment Specialists explain all of the services available at the One-Stop Centers, including referrals to employment, training and supportive services. Other job development services, such as the availability of counseling, testing and career guidance are also explained. Additionally, information on the Job Service complaint system and a summary of farmworker rights with respect to the terms and conditions of employment is provided to Migrant and Seasonal Farmworkers.

Michigan is designated as one of the Top Five Migrant and Seasonal Farmworker Significant States for Program Year 2013 and, therefore, must continue to assign 17 year-round, full-time Agricultural Employment Specialists to conduct outreach activities and ensure Migrant and Seasonal Farmworkers have access to core, intensive and training services in the Michigan Works! One-Stop Service Centers. These positions are funded through the Wagner-Peyser grant.

Currently, there are 16 year-round, full-time staff, with a vacancy ready to be filled for the Lansing area. This vacancy may not be filled due to reduced funding. However, services to both Migrant and Seasonal Farmworkers and employers will be maintained by dividing the Lansing area among other Agricultural Employment Specialists.

The Agricultural Employment Specialists are assigned to the following One-Stop Service Centers:

Local One-Stop Office	Outreach Staff (Agricultural Employment Specialist) Number
Dowagiac *	2
Fremont	1
Holland *	2
Lapeer	1
Lansing (currently vacant)	1
Ludington *	1
Paw Paw *	2
Shelby *	2
Sparta *	3
Traverse City	2
*Designated as Significant for Program Year 2012	Total 17

For Fiscal Year 2013, the Workforce Development Agency projects that Agricultural Employment Specialists will contact a total of 12,500 Migrant and Seasonal Farmworkers. The projected number of outreach days is 1,000. A concerted effort is in place to conduct outreach visits with other partnering agencies. Visits to camps include, but are not limited to, the Agricultural Employment Specialists and staff from National Farmworker Jobs Program provider staff (Telamon Corporation), Michigan Department of Human Services, Michigan State University College Assistance Migrant Program (CAMP) and the High School Equivalency Program (HEP), and migrant health service providers. Additional detail on these services can be found at <http://mss.msu.edu/>. The number of Migrant and Seasonal Farmworker contacts made by cooperating agencies is estimated to be 1,000.

Michigan has a vibrant partnership with many organizations that provide services, both employment and quality-of-life related to Migrant and Seasonal Farmworkers. Many of these organizations are located in the One-Stop Service Centers, allowing for easy access by Migrant and Seasonal Farmworkers. For agencies that are not co-located at the One-Stops, a referral process is established to ensure the full range of employment and training services, as well as supportive services, are delivered.

Partner agencies are as follows:

- Telamon (National Farmworker Jobs Program, Section 167 Grantee)
- Michigan Department of Human Services
- Michigan Health Centers and Community Health Centers
- Michigan Primary Care and Michigan Health Promotion
- Michigan State University College Assistance Migrant Program (CAMP)
- Michigan State University High School Equivalency Program (HEP)
- Migrant Education and Head Start Programs

- Literacy Coalitions and Councils, including English as a Second Language training
- Farmworker Legal Services
- Michigan Migrant Legal Assistance Project

Migrant and Seasonal Farmworkers are encouraged to come in to the One-Stop Centers for services, as many of the partner agencies are located at the Centers, or in close proximity. However, if a Migrant and Seasonal Farmworker is unable, or does not wish, to visit a One-Stop Center, the Agricultural Employment Specialist provides the following services on-site:

- preparation of registration/resume assistance;
- referral to specific employment opportunities currently available or job development services for unemployed Migrant and Seasonal Farmworkers;
- recommending available employment opportunities on the date after a Migrant and Seasonal Farmworker's current employment ends;
- assistance in preparing an Employment Service or non-Employment Service related complaint;
- referral of complaints to the local office complaint coordinator or the state's complaint coordinator;
- referral to supportive services; and,
- when necessary, to make appointments and arrange transportation to and from the One-Stop, or other locations where integrated workforce development services are provided.

Agricultural Employment Specialists are now equipped with laptop computers with wireless connections for accessing information for Migrant and Seasonal Farmworkers while conducting outreach. Registration in Michigan Talent Connect (State labor exchange system), as well as immediate posting of a resume in the system is also achieved. While it is important for Migrant and Seasonal Farmworkers to come to the One-Stops for services such as training and education, when registrations are entered and resumes are written while on outreach, they become immediately accessible to employers. Supportive services information is also easily accessible for Migrant and Seasonal Farmworkers.

Face-to-face contact with Migrant and Seasonal Farmworkers by the Agricultural Employment Specialist is the primary means of providing outreach services. A packet of printed materials is given to the Migrant and Seasonal Farmworkers and contains the following:

- A listing of local One-Stop services;
- Workforce Development Agency Form 300B, "Notice to Applicants," which is a bilingual pamphlet that informs Migrant and Seasonal Farmworkers of all employment services, including Michigan's electronic labor exchange system.

- Migrant Resource Council brochure that lists all the service providers' information in the local area; and,
- Additional information pertinent to the local area, such as announcements for parent-nights, bi-lingual classes, food distributions, etc.

Michigan also uses a brochure for Migrant and Seasonal Farmworkers that highlights employment services available. The brochure is currently being updated to reflect changes to the Michigan Talent Connect and will be published in both English and Spanish.

The Workforce Development Agency has a Memorandum of Understanding with the Michigan Department of Agriculture and Rural Development to conduct camp inspections. The Michigan Department of Agriculture and Rural Development provides a list of all licensed camps; Agricultural Employment Specialists are required to visit each camp at least once per season, but many camps receive more than one visit. In Program Year 2012 there were over 800 licensed migrant camps in Michigan.³ In addition to the migrant labor camps; outreach is conducted at community and church events, such as food distributions, fiestas, welcoming meetings, and Head Start Parent Meetings.

Michigan also has an Interagency Migrant Services Committee that meets monthly. The Interagency Migrant Services Committee is directed by the Michigan Department of Human Services, Office of Migrant Affairs, and its mission is to "...coordinate the delivery of services for migrant and seasonal farmworkers and to serve as a clearinghouse for the exchange of views, problems and solutions between all parties concerned with migrant and seasonal farm labor and related services in an effort to improve the quality of life for Migrant and Seasonal Farmworkers."⁴ Members of the Interagency Migrant Services Committee conducted a presentation at the 2012 Midwest Association of Farmworker Organizations Conference in San Antonio, Texas, that highlighted its various activities and effective partnerships.

There are nine Migrant Resource Councils in Michigan which are under the auspices of the Director of the Interagency Migrant Services Committee. These Councils are located in the state's main agricultural regions and are comprised of representatives from state and local agencies, non-profit service providers, farmworker advocates, and growers. As a member of the local Migrant Resource Council, Agricultural Employment Specialists exchange information on services available for farmworkers, make and receive referrals for services, identify unmet needs, and strategize with other Migrant Resource Council members to maximize outreach activity and address Migrant and Seasonal Farmworker needs not currently being met. Agricultural Employment Specialists also participate in Migrant Resource Council sponsored activities, such as "Farmworker Appreciation Day," the "Backpack Bonanza," and the "Christmas Basket Give-Away." All of these events have more than 300 migrant and seasonal workers and their families participating.

³ Michigan Department of Agriculture and Rural Development Web Site (Michigan.gov/mda)

⁴ State of Michigan, Interagency Migrant Services Committee, By-Laws

For those Migrant and Seasonal Farmworkers wishing to settle-out or who require or request additional training, the Migrant and Seasonal Farmworker is referred to Telamon Corporation or other entities located at the One-Stops. Telamon offers a variety of trainings, including but not limited to English as a Second Language, General Equivalency Degree preparation, Pesticide Application Certification, and Commercial Drivers License Training.

The Workforce Development Agency and Telamon Corporation continue to work together for referral and training services for Migrant and Seasonal Farmworkers. A Memorandum of Understanding exists with Telamon Corporation that describes outreach strategies and referral processes between the two agencies in order to reach the largest number of Migrant and Seasonal Farmworkers.

A Memorandum of Understanding continues between the Hope, Arkansas Migrant Rest Center and the Workforce Development Agency whereby the Workforce Development Agency receives information on Migrant and Seasonal Farmworkers who have stopped at Hope and are traveling to Michigan. This is a valuable resource for Agricultural Employment Specialists to make contact with Migrant and Seasonal Farmworkers once they are in Michigan and provide employment services and information regarding the available services.

“Project Respeto” continues to expand to other areas of the State. With full support from the Michigan State Police, joint visits by the local Agricultural Employment Specialist and the local Michigan State Police and county sheriff officers to migrant camps are conducted in a number of areas. At these visits, information is given to the camp occupants regarding Michigan laws. By having an Agricultural Employment Specialist introduce law enforcement, camp occupants are more open to trusting the officers, which has led to fewer problems in some of the communities. The Workforce Development Agency and the Michigan State Police are inviting local law enforcement to participate in these camp visits.

“La Hora del Campesino” is a bi-lingual radio program sponsored by the Workforce Development Agency that is geared to Migrant and Seasonal Farmworker listeners, but also is a wealth of information for all. Approximately 30,000 listeners tune in each week. While there is no information to indicate how many listeners are Migrant and Seasonal Farmworkers or agricultural employers, it has been determined that the program serves approximately 200 employers by announcing job openings for the Southwest area of the State in both English and Spanish. Also, over 100 non-agricultural positions and over 500 agricultural positions have been announced, including available H-2A positions.

The program has been expanded to include a health segment, featuring experts from the medical field that provide information on topics such as maintaining a healthy diet, getting adequate exercise, avoiding unhealthy behaviors and the importance of getting a yearly physical. Additionally, interviews with employers from across the state provide first-hand, important information for job seekers on what employers need and want in employees.

Michigan is in the process of updating its agricultural Web site (www.michaglabor.org) to be more user-friendly. The information on the Web site is available in English and Spanish and contains the following subjects:

- Current job opening;
- Grower profiles;
- Seasonal crop information;
- Agricultural Employment Specialist directory;
- Migrant Health Services directory;
- Day Care and Education resources;
- H-2A and H-2B job orders; and
- State Monitor Advocate Office/Employment Service Complaint System.

The Workforce Development Agency is currently working on a project to educate all interested workers by posting informational videos of the crops. The videos will show the mechanics of the work involved, whether it be how to harvest the crop, package the crop, and/or other requirements needed for the work. By providing this information, Migrant and Seasonal Farmworkers may see other opportunities for employment.

C. Services Provided to Migrant and Seasonal Farmworkers through Michigan's One-Stop Delivery System

Michigan has chosen not to adopt the American Job Center brand. Our Michigan Works! logo is a registered service mark and is consistently utilized throughout the state by our One-Stop Service Centers. The Michigan Works! name and logo have been in use since 1987 and are easily recognized by both employers and citizens throughout the state.

Core, intensive and training services required under the Workforce Investment Act Title I, are provided to Migrant and Seasonal Farmworkers through Michigan Works! One-Stop Service Centers, Telamon Corporation, and Agricultural Employment Specialists. Because Michigan has developed a robust talent system, Migrant and Seasonal Farmworkers are encouraged to use, and are trained on using Michigan Talent Connect.

When a Migrant and Seasonal Farmworker visit a One-Stop, the One-Stop personnel provide core services. Self-registration in Michigan Talent Connect is entered during the initial visit. For those needing assistance, One-Stop staff or the Agricultural Employment Specialist are available. Because the system is designed to use an e-mail account as the User Name, Agricultural Employment Specialist staff assists Migrant and Seasonal Farmworkers to create a free e-mail account if they do not have one upon registration.

Self-registration includes the completion of a profile, which contains the following:

- Contact information;
- Career information and desired position level;
- Highest education level;
- Career category type and number of years (allows for multiple careers);
- Top Skills;
- Location preference; and,
- Option to upload a full resume.

During Program Year 2012, the Michigan Talent Bank underwent a transition to the Michigan Talent Connect. Agricultural Employment Specialists served on an advisory committee during the conversion, as part of an effort to make it as user-friendly as possible for Migrant and Seasonal Farmworkers. Agricultural Employment Specialists also assisted in the translation of English to Spanish of the Michigan Talent Connect registration form. Additional bi-lingual services are provided in the One-Stop, if needed.

The majority of intensive services for Migrant and Seasonal Farmworkers at the One-Stop are provided by the Agricultural Employment Specialists. These include comprehensive employment services such as job referral and job placement, resume writing assistance, career guidance, skill assessment, and referral to training. Additionally, assistance with learning to use Michigan Talent Connect is provided for those needing it. According to Agricultural Employment Specialists, by providing this assistance Migrant and Seasonal Farmworkers are more comfortable using Michigan's electronic system.

Agricultural Employment Specialists review the resumes of Migrant and Seasonal Farmworkers to match the job seekers' skills and abilities with available open jobs, including high-wage, high-demand jobs. Review of the resume for transferable skills is an integral part of the review. Opportunities for agricultural apprenticeships are also explored,

For Migrant and Seasonal Farmworkers who may need additional training, referrals to a variety of training programs are made. Agricultural Employment Specialists are knowledgeable about the various training programs available through the One-Stop and make referrals to programs, determined by the customer's request. Since the Workforce Development Agency is not a direct provider of training services, it is imperative that training programs are explained thoroughly to Migrant and Seasonal Farmworkers and referral to programs takes place. Agricultural Employment Specialists will continue to encourage Migrant and Seasonal Farmworkers to enter training programs in order to advance their skills and potentially lead to higher paying employment. However, Agricultural Employment Specialists are sensitive to those who may not want to leave the migrant stream, and take that into consideration before referrals are made.

In three areas of the state, skills development of agricultural workers remains a focus. Food safety, pesticide application and pesticide safety training continues to be offered in the Thumb Area, the Northwest, and the Southwest areas of Michigan. Additionally, an annual training for farm managers, crew leaders, and farm labor contractors in the blueberry industry is sponsored by Telamon, in partnership with Michigan Blueberry Growers, Intercare Health Services and the Workforce Development Agency.

Telamon continues to provide training opportunities for those Migrant and Seasonal Farmworkers who wish to broaden their scope of employment. Telamon's internship program provides the opportunity for migrant and seasonal farmworkers to gain valuable work experience in high-demand, high-growth employment industries. Agricultural Employment Specialists refer Migrant and Seasonal Farmworkers to this program, as well as the trainings offered by the One-Stops and local agricultural groups. The goal is for Migrant and Seasonal Farmworkers to have the opportunity to advance their skills and be competitive in a local, regional and global economy.

D. Services Provided to Agricultural Employers through the One-Stop Delivery System.

The One-Stop Service Centers and the Agricultural Employment Specialists provide employment services to agricultural employers. Primary services delivered by the Agricultural Employment Specialists include assistance to write job orders and the referral of workers. Employers receive assistance in writing detailed job descriptions, using O-Net as a resource, in order to attract the most qualified talent. Employers are also trained by Agricultural Employment Specialists in the use of Michigan Talent Connect for posting job orders, as well as seeking available talent.

The Workforce Development Agency, as the lead planning agency, continues to conduct meetings for agricultural employers during January, February and March. The Workforce Development Agency also participates in meetings sponsored by commodity groups and other partnering organizations and is an integral part of these meetings. The Intra/Interstate Clearance Order System is explained and promoted by the Workforce Development Agency. Prevailing wage and practice surveys are reviewed, and employers receive instructions as to how and when surveys will be available. The Workforce Development Agency will be conducting prevailing wage and practice surveys during the peak season for all crop activity where H-2A orders are used.

Outreach visits to employers are conducted in the non-peak season in order to build strong and trusting relationships. By having strong relationships, employers are more apt to rely on the Agricultural Employment Specialist for referrals to not only hand harvesting jobs, but also to other higher paying, higher skilled positions. Migrant and Seasonal Farmworkers have been hired as tractor drivers, maintenance workers, fork lift operators and supervisors.

Michigan's primary workforce development strategy is to implement a demand-driven system based on a cluster strategy. A cluster is defined as a geographic concentration of related employers (one or more), industry suppliers, and support institutions in a product or service field. Agriculture is critical to the Michigan economy in terms of production and the revenue it generates, as well as a major source of exports to other states and all over the world. Michigan's Agricultural Cluster is primarily focused on the food processing industry and assists employers to locate resources for economic development, talent recruitment and training. Partnering with the agricultural cluster teams in the Michigan Department of Agricultural and Rural Development and the Michigan Economic Development Corporation allows for provision of comprehensive and beneficial services for agri-business employers.

A regional Agri-Business Alliance was developed to coordinate and streamline services to employers. The Agri-Business Alliance includes both economic and workforce development partners. Agricultural Employment Specialists and Workforce Development Agency management were instrumental in its development and continue to meet monthly with the Alliance. Projected activities include regional agricultural job fairs, training and apprenticeship opportunities.

The state's agricultural Web site features the "Grower Profile." Agricultural Employment Specialists solicit growers to post their business information on this site. Photographs are often included, showing the fields or housing of the particular farm and crops harvested. This is an

effective way for the employer to “highlight” their business to all workers. All employers are invited to post a profile, and each year more employers decide to post.

E. Data Analysis.

The total number of agriculture job orders placed in the Michigan Talent Bank (replaced by the Michigan Talent Connect) in Program Year 2011 was 2,529. Food manufacturing accounted for 943 of these orders, while the remaining 1,586 orders were for hand-harvesting or processing. The total number of job orders in Program Year 2011 has doubled since Program Year 2010, due to the increased services provided to agricultural employers. Job orders were entered by both employers and the Agricultural Employment Specialists. The total number of openings from these orders was 9,831 and the number of openings filled was 2,410, which equates to 25 percent. The openings filled have also increased since Program Year 2010.

The Workforce Development Agency expects an increase in the number of job orders to a total of 2,781 due to the increased emphasis on the agriculture industry and increased outreach to the employers. It is estimated that 30 percent of the job orders will be filled, for a total of 834 filled job orders. Orders are filled by direct placements and are also filled by job seekers who do not use the One Stop system. In any given year, some job orders are not considered filled, even though they may be, as no data is received to confirm that the order has been filled.

The number of Interstate Clearance Orders received in Program Year 2011 was 92, with 17 resulting from H-2A orders and 75 resulting from out-of-state H-2A orders. There were four Interstate Clearance Orders initiated; however, due to unforeseen challenges, the employers decided to withdraw the applications.

The estimated number of interstate clearance orders the state expects to receive in Program Year 2013 is five. The estimated number of Interstate Clearance Orders the state will initiate is 40.

Agricultural Employment Specialists will continue to provide facilitated services to employers on all agricultural job orders. Services include collecting applications, scheduling interviews, providing space at the One-Stop for interviews, and interpreting at interviews when needed. These activities produce more positive results for the employers, and allow for the staff to account for those hired for employment.

F. Other Requirements

The State Monitor Advocate was afforded the opportunity to approve and comment on the 2013 Agricultural Outreach Plan.

The draft of the 2013 Agricultural Plan was posted to both the Workforce Development Agency Web site and Michigan’s Agricultural Web site to solicit comments from the Interagency Migrant Services Committee and other interested parties. The members of the Interagency Migrant Services Committee are noted in the following paragraph. The plan received final approval from the Governor’s Talent Investment Board at their June 6, 2013, meeting.

The following entities are members of the Interagency Migrant Services Committee

- Telamon Corporation;
- Michigan Department of Human Services;
- Michigan Department of Agriculture and Rural Development;
- Michigan Primary Care Association;
- MI Migrant Head Start/Telamon Corporation;
- Michigan Farm Bureau;
- Migrant Health Services;
- Michigan Department of Civil Rights;
- Michigan Department of Community Health;
- Michigan Department of Education - Migrant Education;
- Michigan Occupational Safety and Health Administration;
- Michigan Department of Licensing and Regulatory Affairs;
- Hispanic Center of Western Michigan;
- U.S Department of Homeland Security;
- Michigan Migrant Legal Assistance Project;
- Farmworker Legal Services;
- Michigan State University CAMP and HEP Programs;
- Julian Samora Research Institute; Hispanic Latino Commission of Michigan;
- U.S. Department of Agriculture – Rural Development
- U.S Department of Labor – Wage and Hour Division; and,
- Social Security Administration.

A summary of the comments received from the solicitation and responses from the state are included in Appendix B. Any additional comments received following the plan's submission, along with responses, will also be incorporated and forwarded to the U.S. Department of Labor, Employment and Training Administration.

Appendix A Region Maps

Region 1 – Southwest

Counties: Berrien, Kalamazoo, Van Buren

Michigan Works!
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State of Michigan, Workforce Development Agency
Migrant, Immigrant and Seasonal Worker Services Division
Date Printed: 11/28/2012 9:59:38 AM

Effective 11/2012

Region 2 – West Central

Counties: Allegan, Ottawa

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Counties: Kent, Muskegon, Ottawa

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State of Michigan, Workforce Development Agency
Migrant, Immigrant and Seasonal Worker Services Division
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Effective 11/2012

Region 3 – North Lower Peninsula

Counties: Antrim, Benzie, Charlevoix, Emmet, Grand Traverse, Kalkaska, Leelanau

Northwest Michigan Works!
1209 S. Garfield Ave., Suite C
Traverse City, MI 49686

Phone: 231.922.3729 - Kevin
231.922.3728 - Jose
Fax: 231.922.3737

Counties: Lake, Newaygo

Michigan Works!
4747 W. 49th St.
Fremont, MI 49412

Phone: 231.924.3230 Ext. 1737
Fax: 231.924.4860

Counties: Manistee, Mason, Missaukee, Westford

Michigan Works! West Center
5722 W. US-10
Ludington, MI 49431

Phone: 231.583.2033
Fax: 231.843.2564

Counties: Oceana

Michigan Works! Muskegon/Oceana
195 N. Michigan Ave.
Shelby, MI 49455

Phone: 231.861.2162 - Catalina
231.861.7528 - Vacant
Fax: 231.861.6300

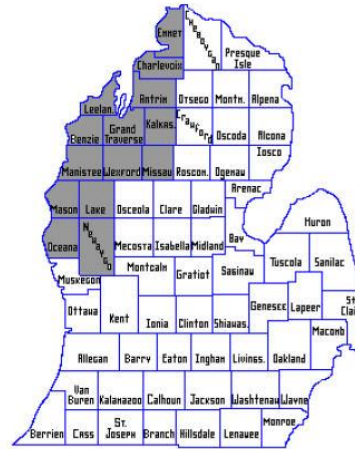
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Vacant



State of Michigan, Workforce Development Agency
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Region 4 – East Central includes Upper Peninsula

Counties: Arenac, Bay, Clare, Clinton, Eaton, Gladwin, Gratiot, Huron, Ingham, Isabella, Midland, Montcalm, Saginaw, Shiawassee

Capital Area Michigan Works!
2110 S. Cedar St.
Lansing, MI 48910

Phone: 517.492.5564
Fax: 517.492.5501

Counties: Alcona, Alger, Alpena, Baraga, Cheboygan, Chippewa, Crawford, Delta, Dickinson, Gogebic, Houghton, Iosco, Iron, Keweenaw, Lake, Mackinac, Marquette, Menominee, Montmorency, Ogemaw, Ontonagon, Osceola, Otsego, Presque Isle, Roscommon, Schoolcraft

Northwest Michigan Works!
1209 S. Garfield Ave., Suite C
Traverse City, MI 49686

Phone: 231.922.3729 - Kevin
231.922.3728 - Jose
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Counties: Barry

Michigan Works!
121 Clover Ave.
Holland, MI 49423

Phone: 616.494.8821 - Isaac
616.494.8855 - Ruben
Fax: 616.355.3305

Counties: Mecosta, Osceola

Michigan Works!
4747 W. 49th St.
Fremont, MI 49412

Phone: 231.924.3230 Ext. 1737
Fax: 231.924.4860

Counties: Genesee, Huron, Lapeer, Livingston, Sanilac, Tuscola

Thumb Works!
550 Lake Dr., PO Box 600
Lapeer, MI 48446

Phone: 810.664.1680 Ext. 19
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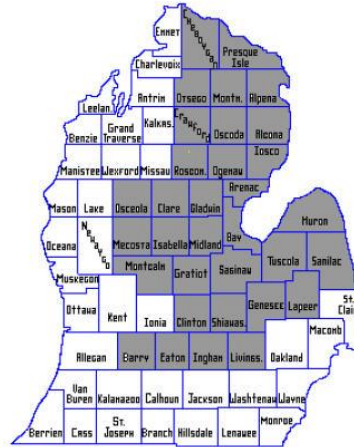
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State of Michigan, Workforce Development Agency
Migrant, Immigrant and Seasonal Worker Services Division
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Region 5 – South Central

Counties: Branch, Calhoun, Hillsdale, Jackson,
Lenawee, Monroe, Washtenaw, Wayne

Reynaldo Ramos
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Michigan Works!
601 N. Front St.
Dowagiac, MI 49047

Phone: 269.782.9864 Ext. 1314
Fax: 269.782.5706

Counties: Macomb, Oakland, St. Clair

Benita Rendon-Murray
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Thumb Works!
550 Lake Dr., PO Box 600
Lapeer, MI 48446

Phone: 810.664.1680 Ext. 19
Fax: 810.664.6740



Appendix B

Summary of Comments

Program Year 2013 Wagner-Peyser Agricultural Outreach Plan

Following is a summary of comments on Michigan's Program Year 2013 Wagner-Peyser Agricultural Outreach Plan. While all comments were considered, not all were incorporated into the plan. Specifically, comments that were not incorporated into the plan either were not allowed under the Workforce Investment and Wagner-Peyser Acts, regulations, or policy guidance, state law or policies, were not in alignment with statewide vision or strategies, or were outside of the scope of the planning guidance document followed to create the plan. Each of the respondents was forwarded a formal response from the Director of the Migrant, Immigrant, & Seasonal Farmworker Services Division within the Workforce Development Agency.

1. After reading the Agricultural Outreach Plan, I wanted to provide clarity on the partners section. You mentioned HEP and CAMP. Perhaps it might be helpful to the reader to understand that these two programs are part of Michigan State University – Migrant Student Services (MSU MSS) division.

Michigan State University operates four core programs: HEP, CAMP, MSU ID&R, and La Siembra Project. A more detailed explanation of services is outlined in our website <http://mss.msu.edu/>. Services provided by all four projects within MSS directly focuses on outreach to agricultural workers and their families. I would further substantiate that we continue to rely on Workforce to connect services from both of our offices.

Michigan does an excellent job in effective partnering, relying on each other's strength to ensure a positive outcome for farmworkers. We agree that providing a better understanding of each partner's strengths and what each program can do for our shared population should be part of the plan as it provides the audience a greater understanding of our successful partnership. Therefore, the MSU MSS division's Web site address is now included as a part of the plan.

2. "Additionally, an annual training for blueberry farm industry crew leaders is sponsored by Telamon, in partnership with Michigan Blueberry Growers, Intercare Health Services and the Workforce Development Agency" should be amended to read as follows. "Additionally, an annual training for farm managers, crew leaders, and farm labor contractors in the blueberry industry is sponsored by Telamon, in partnership with Michigan Blueberry Growers Marketing/Naturipe, the Workforce Development Agency, and Intercare Community Health Network."

The state is in agreement that showcasing our partnership with Telamon's National Farmworker Jobs Program, such as the annual training for the blueberry industry is an enhancement to the plan and should be included. The language was amended to "Additionally, an annual training for farm managers, crew leaders, and farm labor contractors in the blueberry industry is sponsored by Telamon, in partnership with Michigan Blueberry Growers, Intercare Health Services and the Workforce Development Agency." on page 9.

3. “Telamon’s intern program allows for Migrant and Seasonal Farmworkers exposure to high-demand/high-growth occupations” should be amended to “Telamon’s internship program provides the opportunity for migrant and seasonal farmworkers to gain valuable work experience in high-demand/high-growth employment industries”

The language was amended, per the respondent’s suggestion on page 9.

4. Telamon should be referenced and included in the discussion on agri-business alliances on page 9.

It has been our intent to include the National Farmworker Jobs Program partners whenever we get the opportunity. As the respondent is aware, we have strong elements in place regarding our partnership: the Memorandum of Understanding, annual trainings, and discussions regarding the agricultural industry. We will continue to strengthen our partnership through these various avenues.

5. The Workforce Development Agency estimates 24,000 Migrant and Seasonal Farmworkers in 2013. Michigan has sufficient migrant farmworker housing for approximately 23,000 “migrant workers” that occupy the housing. If the Workforce Development Agency estimates 24,000 Migrant and Seasonal Farmworkers and all the camps are filled, then there are only 1,000 seasonal farmworkers. The 2006 enumeration study estimated 45,000.

As to the number 24,000, it is an estimation of Migrant and Seasonal Farmworkers serviced by three different agencies which include Department of Human Services, Telamon (National Farmworker Jobs Program and Head Start), as well as the Workforce Development Agency. The number does not distinguish between migrants and seasonal farmworkers nor does it represent their residence while in Michigan. It is impossible to extrapolate Migrant and Seasonal Farmworker services based on housing units available since this plan does not focus on housing, but on services. There are a variety of housing options that a worker might use beyond traditional migrant labor housing. We believe a more accurate way of determining the universe of workers needing services is not based on artificial housing capacity but on the history of services, key partnerships and contacts.

6. Outreach workers equipped with laptops and internet cards will increase the number of Migrant and Seasonal Farmworker contacts, registrations and referral to jobs. Estimates of contacts should be higher; estimates of hours of outreach should also be higher.

The technology provided to staff is to eliminate paper duplication, improve efficiency in entering information and allow staff the mobility to spend quality outreach time in the field. We remain cautious in projecting higher numbers based on the fact that Migrant and Seasonal Farmworker registration has been decreasing in recent years.

7. Develop a table showing the number of Migrant Workers referred to Michigan via the Hope Arkansas Migrant Welcome Center during the past three years.

Again, a dramatic decline in Migrant and Seasonal Farmworkers coming from Hope, Arkansas does not merit a graph in the plan. Instead, a simple mention of the partnership is sufficient.

8. Michigan H-2A job orders should be posted on the Agriculture Web site.

The H-2A job orders are, and will continue to be posted, on www.michaglabor.org, as well as on the Michigan Talent Connect. On pages 7 and 8, the division's Web site is explained.

9. The Workforce Development Agency received a letter dated June 19, 2013, containing comments on the Agricultural Outreach Plan. The letter expressed concerns about promoting the rights of Migrant and Seasonal Farmworkers to equal access to the full spectrum of employment services and available jobs in Michigan. A summary of the comments and corresponding responses are as follows:

Assessment of Need

Although the sources of data cited on page one are seemingly authoritative, we question the conclusory statements on page two, specifically referring to a purported "shortage of workers" in Program Year 2012. This conclusion is inconsistent with the Plan's accurate acknowledgement of the low production season of Program Year 2012" caused by the unusual weather-related crop losses.

Also, on page three, there is no authority cited for the Workforce Development Agency "estimate" that 24,000 Migrant and Seasonal Farmworkers will travel to Michigan in Program Year 2013. This conclusion represents a substantial deviation from the estimate of 45,000 Migrant and Seasonal Farmworkers determined in the Michigan 2006 Migrant and Seasonal Farmworker Enumeration Profiles Study. Draft findings of the 2013 update of the Migrant and Seasonal Farmworker Enumeration commissioned by the Interagency Migrant Services Committee estimate the number of Migrant and Seasonal Farmworkers to be in a similar range to the 2006 study. Since 2000, Dr. Larson has completed a series of 17 state Migrant and Seasonal Farmworker enumeration studies, ten of which were commissioned by the Bureau of Primary Health Care of the U.S. Department of Health and Human Services. These state-level reports have been widely reviewed and have been accepted as authoritative estimates by government agencies, producers, media and migrant service agencies throughout the U.S. It is perplexing that the Michigan Workforce Development Agency would substitute its unsupported "estimate" of Migrant and Seasonal Farmworkers for the findings of this nationally-recognized research.

This estimate was attained after discussions of program numbers from partner agencies who also work extensively with the Migrant and Seasonal Farmworker population. The partner agencies include the following: Michigan Department of Human Services; Telamon Corporation as the National Farmworker Jobs Program grantee; and Telamon

Head Start program. These agencies concurred with the estimate of 25,000 Migrant and Seasonal Farmworkers in Michigan. Specific examples of reasons for the decline in numbers from the 2006 Migrant and Seasonal Farmworker Enumeration Profile Study are also noted in the Plan

Outreach Activities

The legal mandate for the Wagner-Peyser Outreach Plan requires that "each state agency shall develop an annual outreach plan ... in order to locate and to contact Migrant and Seasonal Farmworkers who are not being reached by the normal intake activities conducted by the local offices." 20 CFR 653.107(a). Pursuant to the Judge Richey Court Order, 1974 U.S. Dist. LEXIS 7168, issued in the settlement of NAACP v. Brennan, 360 F. Supp. 1006 (D.D.C. 1973), the full spectrum of supportive employment services -- education, job training, and job placement -- must be available to assist Migrant and Seasonal Farmworkers in obtaining job skills and career opportunities. We note with interest that the Program Year 2013 Plan states that "a summary of farmworker rights with respect to the terms and conditions of employment is provided" to Migrant and Seasonal Farmworkers. As state and federally-funded providers of legal services to Migrant and Seasonal Farmworkers in Michigan, we are interested in reviewing the "summary of farmworker rights" that Workforce Development Agency outreach workers provide to Migrant and Seasonal Farmworkers. The topic of "farmworker rights" involves an authoritative knowledge of the interplay of numerous state and federal statutes and regulations.

Our agencies, together, employ over a half-dozen attorneys licensed in the State of Michigan with specialized expertise in the laws affecting farmworkers. Each agency produces "Know Your Rights" materials - in English and Spanish - that would be appropriate for Workforce Development Agency outreach workers to provide to Migrant and Seasonal Farmworkers in Michigan, such as the Farmworker Legal Services Calendar.

Regarding the placement of Agricultural Employment Specialists in appropriate office locations throughout Michigan, we have two significant concerns:

- We understand that the Lansing Agricultural Employment Specialist position vacancy is subject to a "hiring freeze" imposed by the State of Michigan. It is not apparent in the Plan why the federally-funded position "may not be filled due to reduced funding" now that Michigan has been designated a "Top Five Migrant and Seasonal Farmworker state" by the federal funder.
- Until Program Year 2012-13 there has been an Agricultural Employment Specialist position located in the Adrian One-Stop Center in Lenawee County in Southeast Michigan. There is no discussion in the Program Year 2013 Outreach Plan about this long-standing position being eliminated, or of the rationale therefor. (There was no indication in the Program Year 2012 Plan that such a "plan" was being contemplated.) We believe that the intent and spirit of the Wagner-Peyser regulations concerning outreach planning require the Workforce Development Agency to present the reasons for such a significant change in its annual outreach plan and to solicit comments about the proposed change from the relevant partner

agencies serving Migrant and Seasonal Farmworkers. Our comments concerning the relocation of the Adrian Agricultural Employment Specialist position follow below.

We understand that the former Agricultural Employment Specialist position in the Adrian One-Stop has been eliminated during the last program year, leaving the 11-county "South Central" Region 5 to be serviced by Workforce Development Agency outreach workers from the Dowagiac and Lapeer One-Stop offices. From our long experience serving farmworkers in the Southeastern corner of Michigan, it is reasonable that the Agricultural Employment Specialist worker in Lapeer could appropriately serve Migrant and Seasonal Farmworkers in the three north-metro counties of Oakland, Macomb and St. Clair from her office in adjoining Lapeer County. However, it seems highly inappropriate to attempt to serve the relatively substantial, and historic, Migrant and Seasonal Farmworker population in the remaining eight South Central counties -Monroe, Washtenaw, Lenawee, Jackson, Hillsdale, Calhoun, Wayne and Branch- from the remote, Southwest Regional Office in Cass County.

According to the draft update to the 2006 Enumeration Profiles Study, these eight Southeastern tier counties (listed above) contain over 3,500 Migrant and Seasonal Farmworkers, or over 7 percent of the state's total. And as noted in the Michigan Department of Agriculture's "Licensed Migrant Camp List," these counties contain 41 licensed migrant camps with a total licensed capacity for 1,277 occupants.

According to "grower profiles" posted by employers in Monroe and Washtenaw Counties on the www.michaglabor.org website, just three such growers employ a total of 200 to 220 harvest employees each season. In addition, Branch County is home to two of the state's largest employers of H2A workers- Mayer Great Lakes Glads and Maroa Greenhouses- together employing over 120 H2A "guest workers," as well as dozens of other Migrant and Seasonal Farmworkers.

Since the Plan acknowledges that "face-to-face contact with Migrant and Seasonal Farmworkers by the Agricultural Employment Specialist is the primary means of providing outreach services," it needs to be explained how the Workforce Development Agency intends to deliver - and actually accomplishes - appropriate and consistent face-to-face contact with thousands of Migrant and Seasonal Farmworkers in the eight identified counties of Southeastern Michigan by utilizing one Agricultural Employment Specialist posted on the other side of the state. We note the relative imbalance of this Agricultural Employment Specialist's responsibilities compared to the deployment of four Agricultural Employment Specialist workers in Region 3-North Lower Peninsula, where one Agricultural Employment Specialist is assigned to serve Migrant and Seasonal Farmworkers in two rural counties- Newaygo and Lake- which together have just over 1,000 Migrant and Seasonal Farmworkers according to the draft update to the 2006 EPS Study. Lake County has no licensed migrant camps, and Newaygo has just 25 for a total capacity of 590 occupants. Given this disparity, the Workforce Development Agency needs to explain in its Agricultural Services Outreach Plan for Program Year 2013 why it decided to eliminate the long-standing Agricultural Employment Specialist position in Lenawee County and how it plans to effectively implement

required outreach services to the Migrant and Seasonal Farmworkers in the eight listed counties in Southwestern Michigan.

We also do not understand the comment on page four that "The number of Migrant and Seasonal Farmworker contacts made by cooperating agencies is estimated to be 1,000." If this is intended to be a total of contacts with Migrant and Seasonal Farmworkers by the agencies named in the sentence preceding the estimate, it seems to be a gross understatement. If it means to refer to Migrant and Seasonal Farmworker contacts by all of the "partner agencies" listed at the bottom of page four and the top of page five, it is clearly inaccurate. Our two legal services agencies, alone, account for well more than 1,000 Migrant and Seasonal Farmworker contacts annually. The Plan should define what is meant by Migrant and Seasonal Farmworker "contacts" made by cooperating agencies.

It is heartening to learn that Agricultural Employment Specialist workers are now provided laptops with wireless connections and are able to provide the full range of employment services listed on page five of the Plan, while they are doing outreach activities away from the One-Stop Centers. As all of us who serve Migrant and Seasonal Farmworkers know, they work from "sun-up-to-sun-down," often do not have access to private transportation or the internet, and rarely have the time or opportunity to leave work to go into a One-Stop Center to access basic or supportive employment services. Therefore, the federal government subsidizes Agricultural Employment Specialist outreach activities in the states. We are unsure of, and the Plan should spell out, what specific assistance is available "to arrange transportation to and from the One-Stops" for Migrant and Seasonal Farmworkers encountered on outreach.

Although the Plan identifies the existence of an Memorandum of Understanding with the Migrant Labor Housing Program (the Michigan Department of Agriculture and Rural Development) to conduct camp inspections, it does not specify- but should- that no referrals shall be made by Agricultural Employment Specialist or One-Stop staff to agricultural employers providing labor housing that does not have a "full" license, currently issued by the Michigan Department of Agriculture and Rural Development.

We are encouraged by collaborative arrangements between the Workforce Development Agency and the non-profit Telamon Corporation NFJP program to leverage resources for referral and training services for Migrant and Seasonal Farmworkers in Michigan. We encourage the Workforce Development Agency to explore any new opportunities to expand services to Migrant and Seasonal Farmworkers created by the recently-announced the USDOL two-year renewal grant (\$1,323,811) to Michigan Telamon for career training and supportive services-- transportation, nutrition and child care-- to remove barriers to Migrant and Seasonal Farmworkers pursuing career training.

We encourage updating of the agricultural Web site (www.michaglabor.org) and particularly support the return of a link to available H2A jobs in Michigan from the "Current Job Openings" tab.

Agricultural Employment Specialists, who are Michigan's outreach workers, provide Migrant and Seasonal Farmworkers with information of farmworker rights in the following ways:

Explanation of rights via the following documents:

- *UDOL Farmworker Rights Card*
- *The Migrant and Seasonal Agricultural Worker Protection Act*
- *Poster on the federal minimum wage*
- *Fact sheet on federal youth employment laws on the farm*
- *Farmworker Legal Services Calendar*

Copies of these documents are provided to all Migrant and Seasonal Farmworkers.

Regarding the placement of outreach staff, locations for staff are based on Migrant and Seasonal Farmworker contacts and registrations, numbers that are required by the federal government. Both Adrian and Bay City experienced a continued and significant drop in contacts and registrations for the past few years. The issue of relocation was discussed with NFJP partners who also relocated their staff from Bay City and Adrian to other areas of the state. Based on our discussions and the federal report numbers, the need to relocate positions was evident due to the decline in numbers.

Staff restructuring and relocating has occurred so that counties with migrant camps are, and will be, visited. As to which counties are covered by each individual staff person, please refer to www.michaglabor.org for that information.

Due to limited resources, we must be fiscally responsible and efficient with the funding provided. Therefore, we must strategically place staff where there is a greater demand for services. Like all agencies facing budget cuts, tough decisions must be made in order to provide a better service for as many Migrant and Seasonal Farmworkers as possible.

We rely on our partners like National Farmworker Jobs Program and the Department of Human Services to assist Migrant and Seasonal Farmworkers for resources outside of our abilities. We refer clients to outside entities to provide childcare, transportation and healthcare needs. It is not feasible, due to budgetary cuts, to provide direct transportation services; therefore, we require the assistance of others to complete the full-range of services outside of our system. As part of the explanation of services available, Agricultural Employment Specialist staff includes information on partner agencies and the supportive services each provides. A packet of information is given to each Migrant and Seasonal Farmworker.

Regarding the number of contacts made by cooperating agencies, this number reflects the contacts made jointly by Workforce Development Agency staff and a partner agency staff. We are cognizant that many agencies make many contacts with Migrant and Seasonal Farmworkers but are required to report how many contacts in conjunction with another agency. Thus, we believe the 1,000 cooperative contacts to be made is a realistic number.

Services Provided to Migrant and Seasonal Farmworkers through Michigan's One-Stop Delivery System

From the reports of our clients, we agree with the statement on page eight that, "The majority of intensive services for Migrant and Seasonal Farmworkers at the One-Stops are provided by the Agricultural Employment Specialists." This is not a surprise given that the Judge Richey Court Order (and implementing regulations) expressly envisioned and created a system where the outreach workers have cultural and linguistic similarities with the Migrant and Seasonal Farmworker population in the area. However, the fact that "[a] majority of the Agricultural Employment Specialist's time during the respective peak season is spent conducting outreach" leaves a glaring absence of culturally- and linguistically-similar employment service workers located in the One-Stop Centers when and if farmworkers actually access the Michigan Works! offices.

As recipients of federal funds, the Workforce Development Agency and the One-Stops have a legal mandate to examine the need for services to those with limited English proficiency, and to develop and implement a system to provide those services so persons with limited English proficiency have meaningful access to them. See Title VI of the Civil Rights Act of 1964, and the regulations, prohibiting discrimination based on national origin, as well as Executive Order 13166 issued in 2000. This obligation extends to the supportive services offered to Migrant and Seasonal Farmworkers via the One-Stops, the Workforce Investment Act Title I program, and the toll-free telephone information lines. However, our Migrant and Seasonal Farmworker clients routinely describe their unsuccessful attempts to access services from One-Stop personnel when the Agricultural Employment Specialist is not in the office, including being turned away at the entrance ("front-desked") and told to return when the Agricultural Employment Specialist worker will be in the office. This is an obvious disincentive to Migrant and Seasonal Farmworkers seeking services.

The statement on page nine that Agricultural Employment Specialist "are sensitive to those who may not want to leave the migrant stream, and take that into consideration *before referrals are made*" is incongruous. According to the spirit and letter of the Judge Richey Court Order (and implementing regulations), it would be more appropriate for the Agricultural Employment Specialist to explain the full-range of employment services and referrals available to Migrant and Seasonal Farmworkers and then let the individual clients decide whether to avail themselves of such services (given the availability of transportation, child care, etc.), rather than pre-emptively "take into consideration" that an individual Migrant and Seasonal Farmworker "may not want to leave the migrant stream." This appears to be an oblique way to say that "we refer some Migrant and Seasonal Farmworkers directly to agricultural employers without advising them of the full range of employment and supportive services available."

As required by the federal regulations, bilingual services must be provided whenever requested or necessary.

In your letter you mention a concern of not offering job seekers the choice to be referred. This is a misinterpretation of the statement. This statement is meant to convey that we

understand that some workers prefer to continue as migrants for various reasons, and some are looking for other employment opportunities. As stated previously, the full-range of employment services is explained to the worker. That explanation provides the Migrant and Seasonal Farmworker the choice to decide on a pathway to settle out or continue in the migrant stream. We provide and will continue to provide a full-range of services to them in a courteous and professional manner.

Services Provided to Agricultural Employers

We, again, express our objection to the content of presentations and the range of presenters at the regional "grower meetings" organized by Workforce Development Agency Wagner-Peyser staff. As we have noted in previous comments, these grower education meetings are often planned without balancing information presented by employer advocates (and their attorneys) with presentations by government-funded migrant worker advocates, such as representatives of our two organizations-- Michigan Migrant Legal Assistance Project and Farmworker Legal Services.

Agricultural employers should be provided with complete and balanced information concerning their legal responsibilities toward Migrant and Seasonal Farmworkers, just as Migrant and Seasonal Farmworkers should be provided balanced information concerning "the rights of farmworkers." When crew leaders and employers are assembled and trained without this "fair and balanced" approach, the opportunity exists to coach them on techniques to avoid oversight by enforcement agencies (e.g., to label crew leader- provided transportation as a "carpool" to avoid United State Department of Labor transportation regulations) or regarding the effect of answering questions on a prevailing practice survey in a certain way. Consequently, we again object to the exclusion of knowledgeable migrant labor advocates from the agendas of the grower meetings organized through utilization of Workforce Development Agency staff and resources provided by the federal government to assist Migrant and Seasonal Farmworkers through the Wagner-Peyser Labor Exchange Services.

Most alarming is the Plan's acknowledgement that "Job orders were entered by both *employers* and the Agricultural Employment Specialist " and that "Orders are filled by direct placements and are also filled by *job seekers who do not use the One Stop system.*" Given this unsupervised use of the on-line Michigan Talent Connect registry by employers and employees, the clear opportunity is presented for employers to directly recruit Migrant and Seasonal Farmworkers using this state-sanctioned system, but without providing any of the worker protections guaranteed by the Judge Richey Court Order and associated regulations. The Plan should address this potential abuse of the Agricultural Recruitment System funded by federal funds with specific worker protections intended to protect Migrant and Seasonal Farmworkers who travel more than 1500 miles from their homes to Michigan in search of a seasonal agricultural job.

Finally, we note the growth of the use of Interstate Clearance Orders has not always been accompanied by rational practices and standard procedures. For example, we note that some Interstate Clearance Orders have been cleared through adjoining states but not through the state of Texas, from which the largest proportion of Michigan's "mid-west stream" Migrant and Seasonal Farmworkers come, according to research by Michigan State University and the National Agricultural Worker Survey ("NAWS").

In 2013, Workforce Development Agency sponsored one grower show. Farmworker Legal Services was invited to participate and a Farmworker Legal Services representative was at this meeting. Workforce Development Agency was requested as a speaker for the remainder of grower show/meetings that were held this past year. Due to budget restraints, Workforce Development Agency has stepped back from sponsoring grower shows/meetings, but will continue to speak at any that request our presentation.

As you are aware, the Michigan Talent Connect is a self-service based system. Both employers and job seekers have the ability to use the system without assistance. Workforce Development Agency does monitor posted agricultural job orders for 4 requirements: 1) wage rate, 2) duration of employment, 3) housing availability, and 4) directions to the location of work. As to your concern of those individuals accessing the Michigan Talent Connect site for jobs, individuals accessing generally are local workers with no agricultural experience. Employers have indicated that job orders are being filled by non-experienced local labor. These non-Migrant and Seasonal Farmworker job seekers have the right to access the labor exchange system and seek employment, even if they have never done agricultural work in the past.

All criteria and non-criteria Interstate Clearance Orders are cleared with our supply states which include Ohio, Florida, Texas, Georgia, Indiana and Arkansas. Both Florida and Texas are our largest supply states. To comply with federal guidelines, when inquiries from out-of-state job seekers are received by Agricultural Employment Specialist staff, the job seeker is directed to contact his/her local One-Stop for opportunities in Michigan. This allows for the Interstate Clearance Orders process to be initiated, if not already in place.